

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

AUBREY CLARK AND WIFE,
KELLY CLARK
Plaintiffs

vs.

KELLOGG BROWN & ROOT, LLC, et al
Defendants

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CIVIL ACTION NO. 2:07-CV-191
(Judge T. John Ward)

**ORDER ON MOTION TO DISMISS ALL CLAIMS FOR PUNITIVE DAMAGES
AND ATTORNEY'S FEES UNDER FED. R. CIV. PROC. 12(b)(6)**

On this day, came to be heard, Defendants KELLOGG BROWN & ROOT, LLC; BROWN & ROOT, INC. n/k/a KELLOGG BROWN & ROOT, LLC; KBR, INC. d/b/a KELLOGG BROWN & ROOT, INC's Motion to Dismiss Plaintiffs' Claims for Punitive Damages and Attorney's Fees under Federal Rule of Civil Procedure 12(b)(6). The Court, having the heard the motion, any response, and the arguments of counsel is of the opinion that the Motion is meritorious and should, in all things, be GRANTED.

Plaintiffs have failed to state a claim for punitive damages and attorneys' fees upon which relief can be granted. Therefore, Plaintiffs claims for punitive damages and attorney's fees are hereby dismissed with prejudice.